

STAFF REPORT

TO: GALLATIN COUNTY PLANNING BOARD

FROM: W. RANDALL JOHNSON, AICP; MANAGER,
SUBDIVISION AND ZONING

SUBJECT: SUBDIVISION REGULATION AMENDMENTS; FIRE
PROTECTION PLAN SUBMITTAL AND APPROVAL
PROCEDURES (SECTIONS 3.S.2.d., 4.S.2.d., 5.E.27.,
5.G.b.(15), and 6.E.1.)

DATE: OCTOBER 28, 2008

BACKGROUND:

On September 16, 2008, the Gallatin County Commission adopted Resolution of Intention No. 2008-110, attached, directing the Planning Department to prepare specific amendments to the Gallatin County Subdivision Regulations, as pertaining to fire protection plan submittals and approval procedures.

STAFF FINDINGS:

1. The Gallatin County Commission is requesting the following modifications to the fire protection plan submittals and approval procedures for all subdivisions, as specified in the Gallatin County Subdivision Regulations. Deletions to the text are shown as ~~strikeout~~, while additions to the text are shown as underline.

SECTION 3: REVIEW AND APPROVAL PROCEDURES FOR MAJOR SUBDIVISIONS

- S. **Final Plat Review.** The planning department will examine the final plat contents and required final plat application materials and recommend approval only when it conforms to the conditions set forth in the preliminary plat approval, and the terms of the Montana Subdivision and Platting Act and these Regulations.

2. Review by the Planning Department: The planning department shall review the final plat to ascertain that all conditions and requirements for final plat approval have been met. The planning department will not accept, begin processing, nor schedule any actions on a final plat submittal until a complete application and fee have been received. Final plat applications will not be considered complete by the planning department until all conditions or preliminary plat approval have been satisfied, including but not limited to the following:

- d. Fire protection requirements ~~approved~~ reviewed by the appropriate fire district or service area.

SECTION 4: REVIEW AND APPROVAL PROCEDURES FOR MINOR SUBDIVISIONS

- S. **Final Plat Review.** The planning department will examine the final plat contents and required final plat application materials and recommend approval only when it conforms to the conditions set forth in the preliminary plat approval, and the terms of the Montana Subdivision and Platting Act and these Regulations.

2. Review by the Planning Department: The planning department shall review the final plat to ascertain that all conditions and requirements for final plat approval have been met. The planning department will not accept, begin processing, nor schedule any actions on a final plat submittal until a complete application and fee have been received. Final plat applications will not be considered complete by the planning department until all conditions or preliminary plat approval have been satisfied, including but not limited to the following:

- d. Fire protection requirements ~~approved~~ reviewed by the appropriate fire district or service area.

SECTION 5: SUBDIVISION PLAN AND PLAT APPLICATION SUBMITTAL REQUIREMENTS

- E. **Submittal Requirements for all Subdivision Applications for Preliminary Plat Review.** The subdivider shall submit to the planning department for County Commission review a subdivision application for preliminary plat approval addressing these topics and containing the following materials:

27. ~~Fire prevention plan and proof subdivider has submitted the proposed fire protection water source approved by the appropriate fire district or fire service area setting forth fire protection requirements for the proposed subdivision as described in Section 6.E. (Fire Protection Requirements) and Appendix I (Fire Protection Packages) of these Regulations.~~

G. Final Plat Submittal and Review.

- b. Final Plat Submittal:

The final plat(s) and all supplementary documents shall be submitted to the planning department at least 30 days prior to the expiration of the preliminary plat or any extension there to, and no less than 10 days prior to the date of the final plat shall be presented to the Commission for approval.

The following original documents of items 4 through 21 below shall accompany and be recorded with the approved final plat, or the following information must be placed on the final plat to be filed with the Clerk and Recorder. All documents shall be properly notarized or sealed where applicable. The submittal shall include, as applicable:

15. Fire Protection Plan ~~approved~~ reviewed by the Fire Protection Authority Having Jurisdiction for compliance with Section 6.E. (Fire Protection Requirements) and Appendix I (Fire Protection Packages) of these Regulations.

SECTION 6: DESIGN AND IMPROVEMENT STANDARDS, GENERAL

E. Fire Protection Requirements. Fire Protection Requirements for subdivisions are described in this Section (Section 6.E) and Appendix I (Fire Protection Packages). Appendix I is adopted as part of these Regulations. All subdivisions shall be required to provide the following fire protection measures:

1. Fire Protection Plan. All proposed subdivisions shall provide a Fire Protection Plan ~~approved~~ reviewed by the local Fire Protection Authority Having Jurisdiction (FPAHJ) prior to the subdivision being considered complete by the planning department. The FPAHJ is the Fire Chief of the fire service organization providing fire protection services to the proposed subdivision.

2. Section 13.B. of the Subdivision Regulations addresses amendments to the Subdivision Regulations, specifically:

General: For the purpose of providing for the public health, safety, and general welfare, the Commission may amend the provisions of these Regulations.

Hearing: Provided further that such amendments shall not become effective until after a public hearing has been held before the Commission, legal notice of which shall have been given in a newspaper of general circulation in the County not less than 15 days nor more than 30 days prior to the date of the hearing.

STAFF SUGGESTED ACTION:

After reviewing the proposed amendments to Section 3.S.2.(d.), Review and Approval Procedures for Major Subdivisions; Section 4.S.2.(d.), Review and Approval Procedures for Minor Subdivisions; Section 5.E.(27.) and 5.G.b.(15.), Subdivision Plan and Plat Submittal Requirements; and, Section 6.E.(1.), Fire Protection Requirements, and considering public comments, the Planning Board shall forward their recommendation on the proposed amendments to the County Commission.